

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 15TH DAY OF APRIL 1998

B E F O R E

THE HON'BLE MR. JUSTICE H.N. NARAYAN

CIVIL REVISION PETITION NO. 993 OF 1998

Between:

Sri. Nasarulla Khan,  
S/o. M.D. Dastagir Khan,  
major, Retired Head Master  
Ambruthur,  
Kunigal Taluk,  
Tumkur District.

.. Petitioner

(By Sri. B. Sreenivasa Gowda, Advocate)

And:

1. United India Insurance-  
Co.Ltd., Branch, Sankari  
Durga-637301,  
Selam District.

2. Sri. Ramaswamy,  
S/o. Raju Gounder, major,  
SVR Transport, Modikadu,  
Sankari

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Salem District,

(R.C. Owner of TCE 6834 lorry) .. Respondent

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Civil Revision Petition is filed U/s.  
115 of CPC against the order dated 22.12.1997  
passed in MVC No. 1093 of 1990 on the file of the  
District Judge, & MACT, Tumkur.

This Civil Revision Petition coming on for  
admission this day, the Court made the following:

O R D E R

This revision is directed against the  
order of the District Judge & MACT, Tumkur  
refusing to release 50% of the amount in deposit.  
The respondents have deposited a sum of  
Rs.3,01,734/-. The Tribunal had not passed any  
order releasing any amount in favour of the  
petitioner-claimant to meet the expenditure  
incurred for medical treatment and also legal  
expenses. The claimant thereafter made an  
application for release of 50% of the award amount  
which was refused. Hence this revision.

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Now the petitioner submits before this Court that he requires the amount to meet the medical expenditure already incurred by him and that he intends to start a petty business.

Having regard to these submissions and the affidavit filed by the petitioner, a sum of Rs.1,50,000/- is released in favour of the petitioner out of the amount in deposit.

Revision is disposed of with the above directions.

Sd/- Judge.

Ms

R.By: *[Signature]*

C.By: *[Signature]*

**Copy**

*[Signature]*  
Assistant Registrar  
High Court of Karnataka  
Bangalore-560 001

*[Signature]*  
1/6/98



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